

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KATY PACZKOWSKI,
individually and on behalf of
all others similarly situated,

Plaintiff,

Case No.: 18-cv-759-slc

v.

MY CHOICE FAMILY CARE, INC.,

Defendant.

ORDER GRANTING CONDITIONAL CERTIFICATION OF A
COLLECTIVE ACTION CLASS

Pursuant to the Joint Stipulation to Conditionally Certify a Collective Action Class Pursuant to §216(b) of the Fair Labor Standards Act and Authorize Notice submitted by Plaintiff Katy Paczkowski (“Plaintiff”) and Defendant My Choice Family Care, Inc., (“Defendant”), **IT IS HEREBY ORDERED THAT:**

1. The following class is conditionally certified pursuant to 29 U.S.C. §216(b):

All persons who are or have been employed by My Choice Family Care, Inc. and who were salaried Care Managers at any time since September 1, 2016, and (date of the Court’s Order).

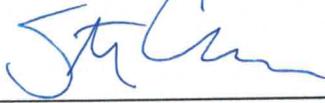
2. Defendant shall, within ten (10) days of this Order, identify and produce to Plaintiff's Counsel the first name, last name, last known street address, city, state, zip code, phone number (if any), last four digits of social security number, and dates of employment, of all persons who meet the class definition above. The class list will be produced to Plaintiff's Counsel as an excel spreadsheet with each field of information identified above as a separate column.

3. Plaintiff's Counsel shall be permitted to send the agreed-upon Notice of Right to Join Lawsuit (attached as Exhibit A to the parties' Stipulation) via regular United States Mail, to all individuals within the collective class. Consent forms postmarked within forty-five (45) days after the first mailing of the Notice will be considered timely. With the exception of Notices that are returned to Counsel for Plaintiff as undeliverable, no reminder notices shall be sent by Plaintiff or her Counsel during the 45-day opt-in period. In the event the Notice is returned undeliverable, Plaintiff's Counsel shall perform a skip trace on the individual and shall promptly resend the Notice if forwarding information is secured.

4. Counsel for Plaintiff shall promptly file with the Court copies of each consent form that is signed and postmarked within the above-noted forty-five (45) day deadline from the date of mailing.

5. By stipulating to conditional certification of the collective action class, Defendant does not waive or in any way compromise any of its defenses to the merits of Plaintiff's claims, nor their right to seek decertification of the conditionally certified action or otherwise challenge an FLSA collective action or Rule 23 class.

Dated at Madison, Wisconsin this 11th day of APRIL, 2019.



Stephen L. Crocker
U.S. Magistrate Judge
Western District of Wisconsin

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